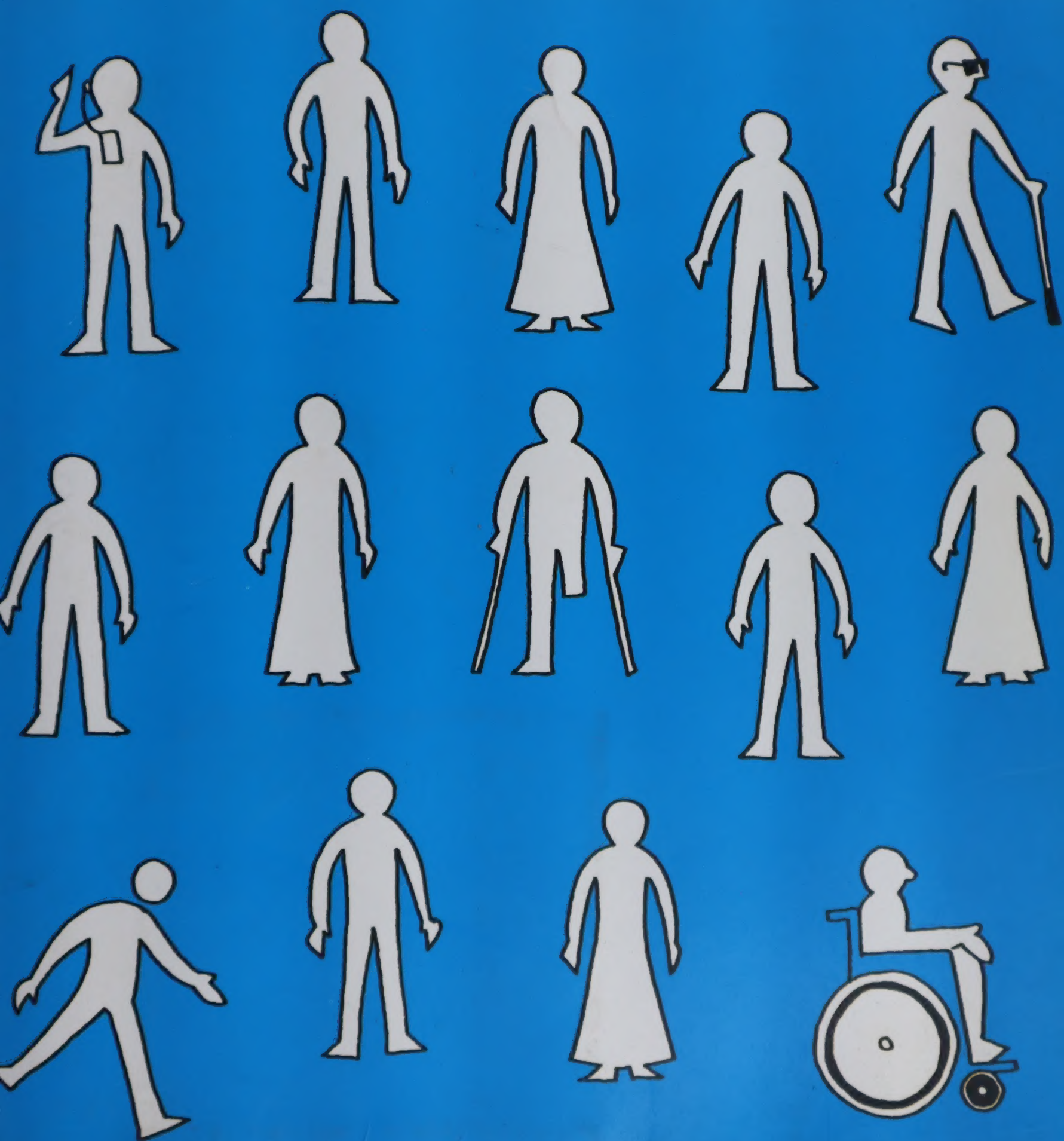


How can the Rights of Persons with Disabilities be Protected?



How can the Rights of Persons with Disabilities be Protected?

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Government of Gujarat

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The booklet is available also in Gujarati.

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The information in this booklet has been compiled from various sources. People with disabilities, their families and several organisations have provided valuable input. (Equal Opportunities, Protection of Rights and Welfare of Persons with Disabilities Act, 1995) that some of the information may change from time to time. Readers are advised to contact the persons/departments concerned inside and verify the information.

We welcome comments and suggestions that will help us to improve the booklet.

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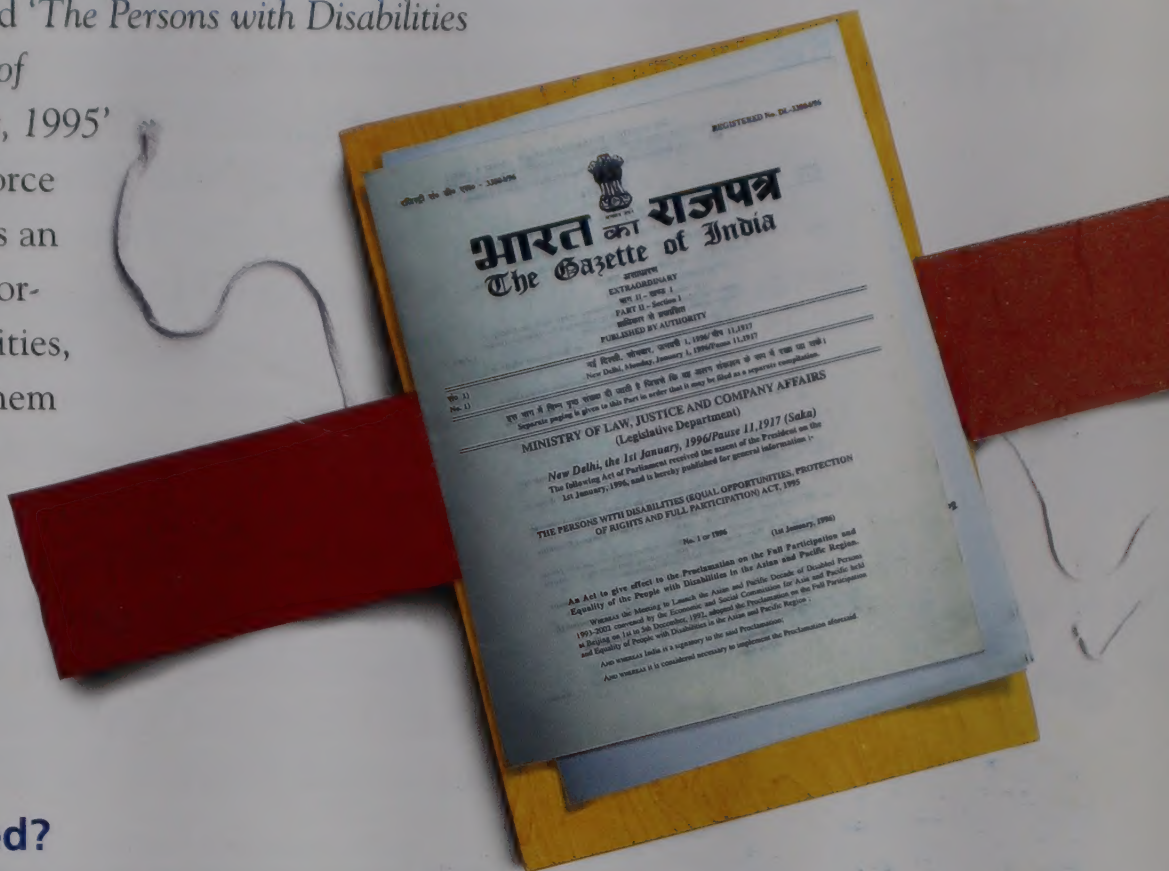
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Is there a legal provision that protects the rights of persons with disabilities?

The Parliament of India enacted 'The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995' (PWD Act) which came into force on February 7, 1996. The Act is an initiative to promote equal opportunities for persons with disabilities, protect their rights and grant them full participation so that they are integrated into society and their rights are realised.



Why was this Act enacted?

Efforts for rehabilitation of persons with disabilities have evolved over time from institution-based care and services to community-based rehabilitation. Yet, the focus continues to be on helping persons with disabilities to adapt to the community through providing them aids and appliances, education and training.

It is being gradually accepted that it is equally important to change the environment and context in which the person lives. Over the past decade or so, internationally and nationally, a need has been felt to move away from a welfare and medical approach to promoting and protecting the rights of disabled persons, ensuring equal opportunities in all spheres and enhancing the engagement of civil society for the 'inclusion' of the disabled. Several countries, including India, have enacted disability rights Acts. The PWD Act 1995 seeks to empower persons with disability so that they can be part of the mainstream society.

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guarantee from Handicaps International - India
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How many persons with disabilities are there in India?

Several organisations have collated data on the magnitude of disability in developing countries. Some organisations, such as the World Health Organisation (WHO), put it at five to six per cent of the total population while other reports put the figure at as high as 10 per cent*. The National Sample Survey Organisation (NSSO), Government of India, conducted its third survey during July-December 2002 to provide information on the magnitude and other aspects of persons with disabilities. The findings published in the report, titled 'Disabled Persons in India', estimate that 1.8 per cent of the total population of our country are disabled. Of them, about 10.63 per cent are affected by more than one type of disability. The variation in the estimates is attributed to different methods and procedures employed, including the definition of disability, age groups studied, scope and geographical coverage, consideration to social and attitudinal barriers, the skill of data enumerators, etc.

* E Helander, *Prejudice and Dignity; An Introduction to Community-based Rehabilitation*, UNDP, 1992. One in 20 is a conservative figure with some sources suggesting that 1 in 10 of the world's population may be defined as having a disability.

Who benefits under this Act?

The PWD Act, 1995 recognises the following seven categories of disability for providing equal opportunities, protecting the rights and ensuring full participation of persons with disabilities. The definition of each disability, as given in the Act, is also indicated.



- **BLINDNESS** means total absence of sight, visual acuity not exceeding 6/60 or 20/200 (snellen) in the better eye with correcting lenses or limitation of the field of vision subtending an angle of 20 degrees or worse.
- **LOW VISION** means a person with impairment of visual functioning even after treatment or standard refractive correction but who uses or is potentially capable of using vision for the planning or execution of a task with appropriate assistive device.

• **LEPROSY CURED** refers to a person who is cured of leprosy but is suffering from loss of sensation in the hands or the feet as well as loss of sensation and paresis in the eye and eyelid but with no manifest deformity; manifest deformity and paresis but has sufficient mobility in the hands and the feet to engage in normal economic activity; or extreme physical deformity as well as advanced age which prevent the person from undertaking any gainful occupation.



• **HEARING IMPAIRMENT** means loss of 60 decibels or more in the better ear in the conversational range of frequencies.



• **LOCOMOTOR DISABILITY** means disability of bones, joints or muscles leading to substantial restriction of the movement of the limbs or any form of cerebral palsy.

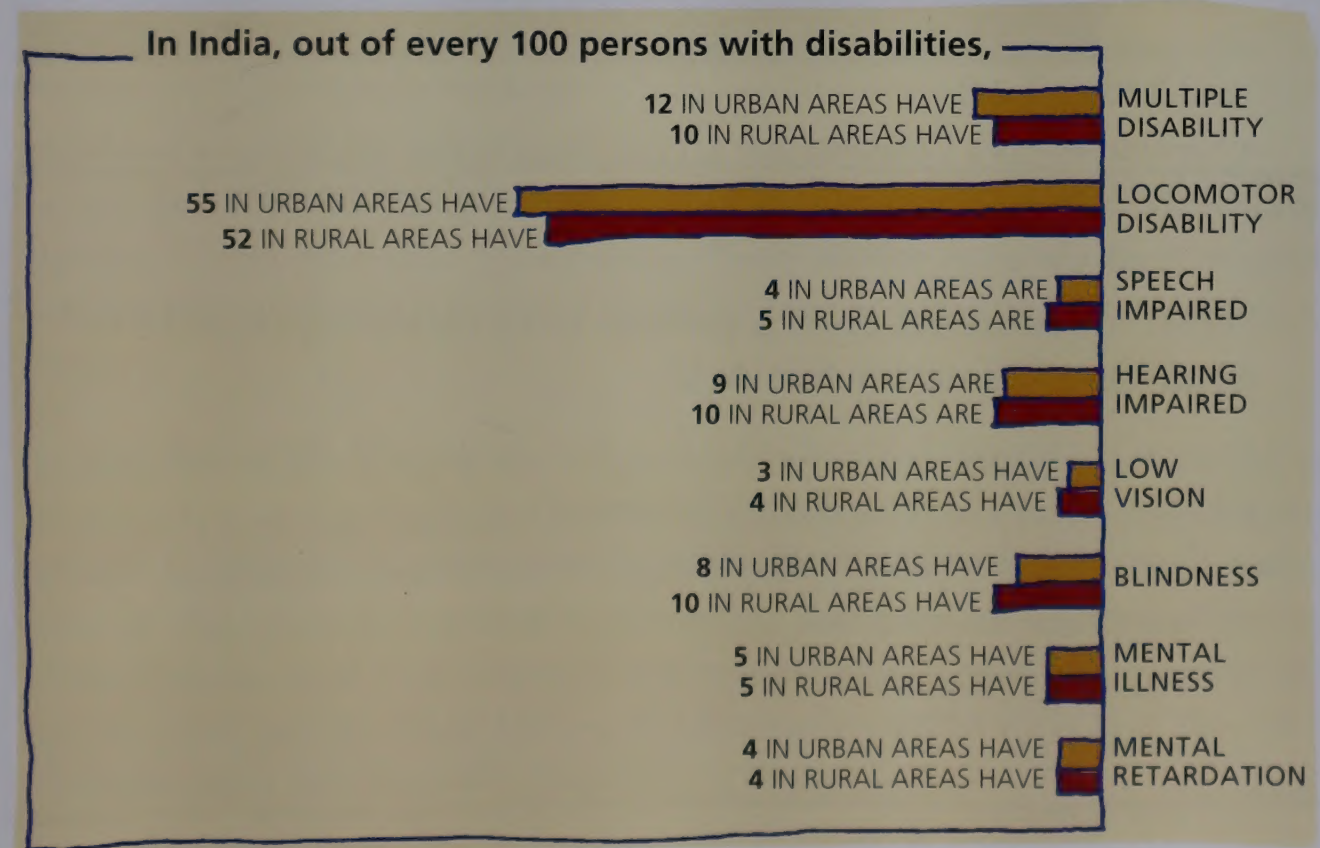


• **MENTAL RETARDATION** refers to a condition of arrested or incomplete development of the mind of a person which is specially characterised by subnormality of intelligence.



• **MENTAL ILLNESS** refers to any mental disorder other than mental retardation.

Distribution of disabled persons by disability in rural and urban areas



Source: NSSO Report on 'Disabled Persons in India' July - December 2002, published in 2003

What are the main provisions of the Act?

The PWD Act seeks to empower disabled persons to be part of the mainstream. It is comprehensive and encompasses provisions for the prevention of disability, promoting education, employment, affirmative action, non-discrimination, research and manpower development, recognition of institutions for persons with disabilities and monitoring the implementation machinery.

Broadly, it includes the following provisions:

- Prevention and early detection of disability (Sec. 25)
- Free education for every child with disability in an appropriate environment till the age of 18 years (Sec. 26 a)
- Schemes and Programmes for non-formal education (Sec. 27)
- Reservation of three per cent seats for admission to all government educational institutions (Sec. 39)
- Reservation of not less than three per cent in all poverty alleviation schemes (Sec. 40)
- Non-discrimination in transport, on the road and in the built environment so that persons with disabilities can go to any place without any hindrance (Sec. 44 - 46)
- Identification of posts which can be reserved and reservation of posts for persons with disabilities (Sec. 32 a and 33)
- Special opportunities to overcome any kind of discrimination being faced, eg. preference in allotment of land to disabled persons for housing, business, special schools, research centres, recreation centres and factories (Sec. 43)
- Generic and specialised services for rehabilitation (Sec. 66)
- Insurance scheme for employees with disabilities (Sec. 67)
- Scheme for unemployment allowance for persons not gainfully employed (Sec. 68)
- Co-ordination and monitoring of provisions under the PWD Act (Chapters 2 and 3 / Sec. 3-24)
- Appointment of a Commissioner in every State to look into complaints relating to deprivation and denial of rights of persons with disabilities (Sec. 62)

Which documents does a person with disability require to avail benefits under this Act?

To avail the benefits under the Act as well as those under the government schemes, one needs the following documents:

1. Photograph depicting the disability of the person
2. Proof of residence – ration card or voter's ID Card
3. Certificate of disability
4. Identity Card
5. Proof of income
6. Birth certificate

For each specific benefit or scheme, different documents are required. The details of documents required for various schemes are given in a table on page 9

How can one get a certificate of disability?

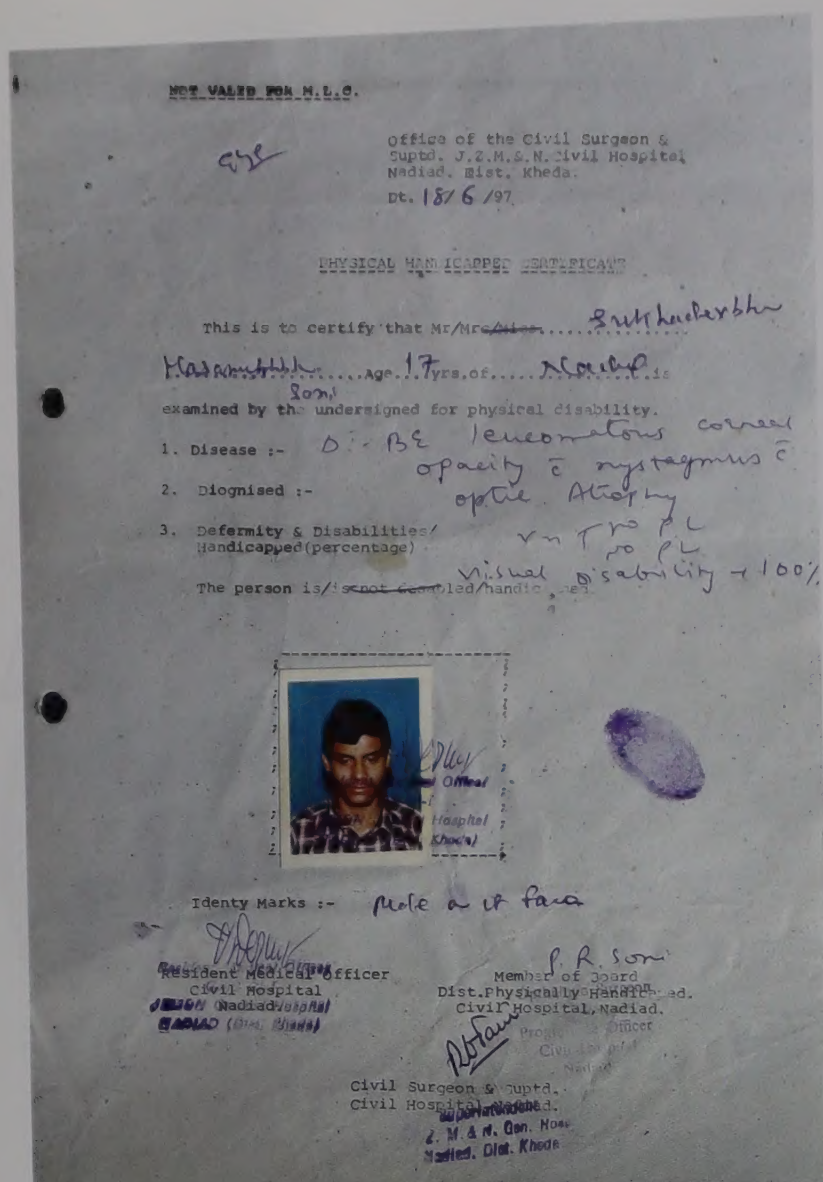
A certificate of disability is issued by a disability board comprising concerned experts like an orthopaedician, an ophthalmologist, ENT surgeon, psychiatrist and clinical psychologist. The applicants would need to personally visit the specialist concerned in the civil/district hospital in the district of their residence who will examine them and recommend their case for certification. Applicants should submit 3 copies of a passport-size photograph and a copy of their ration card.



Entrance to the Civil Hospital, Ahmedabad

A circular dated 20/6/2004 on subject of, "Medical Certification for physically handicapped persons" with reference of Letter No. Govt, Health & Family Dept., Gandhinagar dated 24/8/04 HSP/102002/GOI/36/A and signed by Executive Director, Health Services, Gandhinagar, is issued.

It says, "At present there are vacancies for class-2 Clinical Psychologist in the state of Gujarat. It is very difficult to issue the disability certificate in the absence of expert doctors at civil hospital for persons with mental retardation by proper District Medical Board. In case of the vacancies of expert doctors are not filled or expert doctors not available at Block/District level civil hospitals, we request you to plan and take the services of non-government expert doctors as per the Resolution dated 11/8/03 of District Medical Board (Reformation) and issue the disability certificate".



What are the benefits of having a certificate?

A certificate can help one get the benefits of education and employment and in getting aids and appliances, the details of which are given later in this booklet. However, for admission to some professional courses such as medical and engineering, one would need a certificate in the prescribed format that could be obtained from the academic institution concerned. Similarly, for getting concession for rail travel, certification from a doctor in the prescribed format is necessary.

Who issues an Identity Card?

What are the advantages of this card?

In order to avail various benefits for travel, scholarships, concessions, etc. under the State/Central schemes for persons with disabilities, one needs an Identity Card. This Card is issued by the Department of Social Defence. In every district there is a Social Defence Officer whose office in most places is located in the Zila Panchayat Office.



Besides the certificate of disability and the ID Card, which other documents are required to avail the benefits and concessions that a person with disability is entitled to?

For availing any benefit or concession, some specific documents are required. For example, for getting a tricycle, a photo depicting the person's disability, a disability certificate and an income certificate are required. The table on the opposite page contains details of documents required for various benefits and concessions.

GOVERNMENT SCHEMES AND BENEFITS	DOCUMENTS REQUIRED														
	Stamp size photo	Passport photo	Photo depicting disability	Disability certificate	Identity Card	Ration Card	Income certificate	BPL No.	Birth certificate	School certificate	Notary certificate	Experience certificate	Permission for place/Land ownership certificate	Audiogram for hearing impaired	Proof of residence in State
Disability Certificate		✓	✓			✓									
ID Card	✓			✓		✓									
Tricycle			✓	✓			✓								
Caliper				✓			✓								
Crutch				✓			✓								
Artificial limb				✓			✓								
Surgical shoes				✓			✓								
Wheelchair		✓		✓			✓								
Walker				✓			✓								
Cerebral Palsy Walker				✓			✓								
Cerebral Palsy Chair				✓			✓								
Hearing - aid				✓			✓							✓	
Handcart				✓			✓								
Sewing machine				✓			✓				✓				
Telephone booth			✓	✓				✓				✓			
Scholarship				✓	✓		✓		✓					✓	✓
Educational kits				✓			✓								
Integrated education		✓		✓	✓				✓	✓					
Sant Surdas Yojana				✓	✓	✓	✓	✓	✓						✓
Niradhar Pension						✓	✓	✓	✓		✓				✓

So, for getting a tricycle, a photo depicting your disability, your disability certificate and your income certificate would be required.



P.S. The table attempts to provide an overview of some benefits and schemes that a person with disability can avail. For details of the eligibility criteria for availing these, please refer to the book on ‘Welfare Schemes for Persons with Disabilities’ published in Gujarati by the Directorate of Information, Gujarat.

Please note that the above information may change from time to time, hence readers are requested to verify it from a local Non-Government Organisation (NGO) working for the rehabilitation of disabled persons or the Social Defence Officer in their district.

For more information
on IEDC contact: Project
Implementing Agency or
Director, Gujarat Council
of Education Research
& Training (GCERT)



My 12 year old daughter Sonal cannot hear but can speak a little. She is very keen to go with her brother to his school. Is it possible?

Of course, she can. The government provides for free education (Sec. 26) for all children with disabilities till the age of 18 at the primary, middle and secondary levels. The Department of Education, Government of Gujarat, has also issued a Resolution dated 20.10.99 No. AEEE-1299-1962-N. to this effect. However, since most teachers in these schools are not trained to respond to the special needs of children with disabilities, the government has started a scheme for Integrated Education for Disabled Children (IEDC). The IEDC scheme provides support so that children with disabilities who are below 18 years can study in regular schools with other children. This support is in the form of provision of special teachers, allowances for books, stationery and transport, escort and reader's allowance, uniform, counselling, provision of aids and appliances, etc. (Sec. 30).

Did you know that if you are 18 years or less and are keen to study in a mainstream school like all other children do, you can do so. There is a scheme for Integrated Education for Disabled Children (IEDC) under which the government will pay all the costs for your education. In Gujarat, this scheme is being implemented in 25 districts in a total of 203 talukas. In these districts, 50 Non Government Organisations (NGOs) identify such children who want to study. They help the children to get admission to schools and in getting all other benefits. There is a plan to cover more areas in the future. A list of these NGOs can be obtained on page 142 in the book titled '*Welfare Schemes for Persons with Disabilities*' published in Gujarati by the Directorate of Information, Gujarat.



Besides, under the Sarva Shiksha Abhiyan, a government programme aimed to promote total literacy, the District Primary Education Programme (DPEP) is also focusing especially on the education of children with disabilities through various initiatives like:

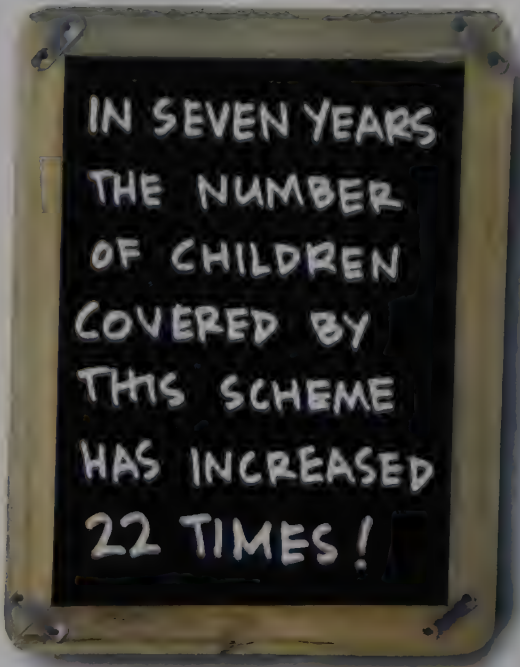
1. providing services for identification and screening of children through camps,
2. promoting enrollment of children through motivational campaigns,
3. organising awareness campaigns and publishing relevant educational material and, above all,
4. organising sensitization programmes on disability for teachers in mainstream schools so that they can better understand the needs of disabled children and give them the necessary support.

**FOR MORE INFORMATION
ON DPEP, CONTACT :
ASSISTANT DISTRICT
COORDINATOR, OR
STATE PROJECT DIRECTOR
D.P.E.P**

Children benefiting under the IEDC scheme in Gujarat

Coverage through IEDC	1998	2005-06
Children with disabilities in school	1,827	40,963
Mainstream schools covered	941	12,625
Districts covered	14	25
Talukas covered	58	203

Some of the larger private schools in bigger cities like Ahmedabad, Vadodara, etc. have also started admitting children with disability to their regular education programme and making necessary arrangements to support them.



I am studying in Class VII in a government school. The secondary school is very far from my house and it is difficult for me to reach there. But I want to continue studying. What are the options that I have?

The Government of Gujarat provides scholarship for tuition and, where necessary, for hostel accommodation for pursuing primary or secondary education. To avail these benefits, you may contact the Social Defence Officer in your district with:

- Identity Card
- Certificate of disability
- School Leaving Certificate from the principal of the school
- Marksheet of the last examination attended.

I am a student of Class X and I cannot see properly. I cannot write myself. Is there any assistance I can get for writing my tests/exams?

You can definitely appear for the exams, as under Sec. 31 of the Act, you can get special assistance in the form of a writer allowance or the services of a writer. It is a rule that the writer must be studying in at least one class lower than the child whom s/he is assisting and should not be from the same school. Under the Integrated Education Scheme, this assistance is available to all children studying in Class V or above. It covers not only children



Appearing for an examination with the assistance of a writer

like you but also those children who have completely lost their sight or are orthopaedically disabled and are unable to write. For details, you can contact your school principal or a local NGO working with the disabled.

A list of special schools can be obtained from the District Social Defence Officer.



My daughter Meena cannot see. She also has difficulty in speaking clearly and in understanding. We feel she will not be able to cope up in a mainstream school. She is, however, very keen to go to school. How can we help her?

Children like your daughter Meena, who have more than one kind of disability, need special attention and education. They require teachers who are trained to attend to them. Special schools are being run for children like Meena in different parts of the State, especially at the district level.

I have completed Higher Secondary with science and want to do a course in pharmacy. I can speak but cannot hear properly. I understand that there is some reservation for students like me. Is that true?

Yes, under Sec. 39 of the PWD Act, three per cent reservation is provided in all government educational institutions and other educational institutions receiving aid from the government. The Department of Education, Government of Gujarat, passed a Resolution (No. P R CH/ 15-2001/517/2) dated July 10, 2001 reserving three per cent of the vacancies in all educational institutions of the State. This reservation is for all university

courses (arts, commerce, science), professional courses such as nursing, engineering, B.Ed., Primary Teachers Course (PTC), medicine, pharmacy, ITI in polytechnics and in pre-service and in-service teachers' training courses.

The government has identified 1400 types of jobs that people with different kinds of disabilities can perform wherein their disability is not expected to be a hindrance. For example, for people who are visually impaired, the jobs that have been identified include teaching, computer programming, announcers, programme producers, etc. The reservation has therefore been made in courses that are linked to these jobs. For example, there is reservation in the B.Ed. course that prepares an individual to be a teacher. For details, contact your local NGO which is working on disability or the Social Defence Officer.

In case a person with disability is denied admission on grounds of disability or refused admission despite reservation, s/he may contact the Commissioner for Persons with Disabilities, Gandhinagar. (address on page 26).

For filing any complaint for redressal of a grievance through this office, a form needs to be filled. The general information that is required to be submitted includes personal details like name, contact details, age, sex and nature of disability. Persons who are already employed but are facing discrimination or threat to the protection of their rights would be required to provide details of their profession and contact address, nature of complaint, reference of section of the PWD Act under which the case is being submitted, sequential reference of efforts made by the person to assert her/his rights, department and officer with whom the person has been corresponding in her/his place of employment and nature of employing organisation. The person is required to submit a copy of the disability certificate, proof of efforts made for protection of one's rights and a copy of the letter or any information received from the employer.

For the first time, in the admissions in 2003-04, all 288 seats reserved for persons with disability in the PTC course were allotted to them. In 2004, 110 students with different types of disability were also enrolled for the certificate/diploma course in nursing.

Source: Department of Education, Government of Gujarat

વિકલાંગ વ્યક્તિઓના (સમાન તકો, અધિકારોનું રક્ષણ અને સંપૂર્ણ સહભાગિતા) ધારા ૧૯૯૫ અન્વયે ફરિયાદ

ફરિયાદીનું નામ : _____

સરનામું : _____

ફોન નં. : _____ ફેક્સ : _____

ઉંમર : _____ વર્ષ : _____ જાતિ : પુરુષ/સ્ત્રી.

વિકલાંગતાનો પ્રકાર : () દ્રષ્ટિહીન/અભ્યદ્રષ્ટિ
() શ્રુતિ-બોધિર
() આંશિક વિષયક વિકલાંગતા
() મંદબુદ્ધિતા
() અન્ય : _____

વ્યવસાય : તોફારી/ધંધો

વ્યવસાયનું સ્થાન : _____

ફોન નં. : _____ ફેક્સ : _____

અન્ય વિગત : _____

A sample format for redressal of grievances

Himali Mistry, a resident of Ahmedabad, has some difficulty in hearing. She had completed her Higher Secondary from a mainstream school in Ahmedabad after which she was keen to study pharmacy. However, she was apprehensive whether she would get admission. With the support of her parents, she picked up courage to apply. But she was refused admission at the first instance.

Her parents filed an application in May 2003 in the Office of the Commissioner for Persons with Disabilities, in which they stated that the Joint Admission Committee (JAC) for Professional Courses, Gujarat State, did not consider Himali's disability for reservation in the courses of B.Pharm and D.Pharm that she had applied for. The JAC's argument was that there is no provision for reservation for hearing impaired persons. However, under Sec. 39 there has to be three percent reservation in educational institutions for disabled persons. The Department of Education, Government of Gujarat, has also passed a Resolution (No. P R CH /15-2001/517/2 on July 10, 2001) for reserving three per cent seats for persons with disabilities for admission to all government educational institutions. The Commissioner directed that a 4-member medical board be set up to decide whether Himali, with the type and extent of her disability, can meet the requirements of this course. Based on the report, Himali was granted admission to the pharmacy course and today she is hopeful of her future.

I had appeared for an exam for admission to the B.Ed. course but was refused admission on account of the fact that I cannot see. Is this not a violation of my right?

Yes, it is a violation of your right. In such a case, you must contact the Commissioner for Persons with Disabilities, who would be able to guide you. If you have proof of refusal for admission, the Commissioner can direct the authorities concerned to explain their action and /or amend their decision.

You may also contact a local NGO working with the visually impaired and seek its guidance.

Vishlesha Jani, a bright young girl who passed her B.A. in the first division, had dreams of becoming a teacher. After her graduation, she applied for admission to the B.Ed. course in North Gujarat University, Patan, and also in Daramali College. She was refused admission at both places on account of her disability. With the assistance of a local NGO, she approached the Office of the Commissioner for Persons with Disabilities, Gandhinagar.

During the discussion of the case, the college authorities argued that a person with more than 70 per cent disability cannot be admitted as per rules. However, Vishlesha argued that she had pursued studies up to post graduation and hence did not see any reason why she could not do B.Ed. Moreover, there were many totally blind persons employed as teachers at the primary and middle levels. The Commissioner directed the college to admit Vishlesha. Not only this, since all the seats had been filled by the time her case was decided, a special seat was created for her.

Today, Vishlesha, having completed her teacher training course, is a teacher in a primary school in Lalpur village, Idar taluka. She is very active in her school as well as at the block resource centre. She has completed Sangeet Visharad (degree in music) and has had the distinction of receiving various awards for dramatics, poetry and music. Vishlesha is also the local representative of the Blind Women's Forum which addresses the rights of blind women.



Visual impairment is not an obstacle for teaching!

**I am a graduate and am looking for a job.
Are there any special provisions for me to
get a suitable job?**

Special Employment Exchange

'O'/4, New Mental Hospital
Asarva, Ahmedabad
Ph: 079 - 22680329

**Sub Regional
Employment Exchange**

Block No. 1 G-1, Zila Kacheri
Sankul, Rajmahal Compound,
Mehsana. Ph: 02762 - 221462

Special Employment Exchange

Block 3, Multi Storeyed Building
Rajkot
Ph: 0281 - 2440419

Special Employment Exchange

5th Floor, C Block,
Narmada Bhavan, Vadodara - 1
Ph: 0265 - 242318

Special Employment Exchange

Multi Storeyed Building
C Block, 5th floor, Nanpura,
Surat - 395 001
Ph: 0261 - 2472402

Many vacancies are advertised in newspapers. You may check these periodically. In addition, for those who have completed education up to the 10th Standard, there are five Special Employment Exchanges, 1 each in Ahmedabad, Mehsana, Rajkot, Vadodara and Surat. Here, you can register your details for applying for government jobs. These exchanges are required to send you intimation as and when there is a vacancy for a job that meets your requirements. Information can also be obtained through the website of the Employment Exchange, which is www.talimrojgar.gujarat.gov.in

In addition to the general documents required for availing any concession (refer to page 7) you would require a certificate of any training that you have received and details of work experience, if any.

In case of jobs advertised by banks, the names of suitable candidates are called from the Vocational Rehabilitation Centre (VRC). There are two such centres, one in Ahmedabad and one especially for women in Vadodara. The VRC conducts tests that help persons to understand their abilities, provides training and organises placement activities.

1. VOCATIONAL REHABILITATION CENTRE

ITI Campus, Naroda Road,
Kuber Nagar, Ahmedabad 382 240
Phone: 079 - 2281 1629

**2. VOCATIONAL REHABILITATION
CENTRE FOR WOMEN**

Mahavir Industrial Estate, Jalaram Mandir Marg,
Karelibaug, Vadodara 390 018
Phone: 0265 - 255 3674

You may also approach the local branch of the National Association for the Blind or a local NGO working with the disabled. Some of them have special placement cells where they help not only to contact private/public employers but also help those seeking self-employment.

Is there any reservation in employment for people with disabilities?

Under Sec. 33 of the Act, the government establishments are required to reserve three per cent of the vacancies on identified posts for disabled persons, one per cent each for the visually impaired or persons with low vision, persons with hearing impairment and persons with locomotor disability or cerebral palsy. If not filled, these vacancies can be carried forward to the following year. There can also be an interchange among the three categories if they remain unfilled.

The Department of General Administration, Government of Gujarat, has made three per cent reservation in all establishments in State services through a Resolution (No. CRR - 102000 - GOI.7 - G.2.) on February 15, 2001.

Status of reservation for Persons with Disabilities in Central Ministries/Departments

Group of Post	No. of posts in identified category	No. of posts held by disabled persons
A	4,342	111 (2.56 %)
B	3,664	152 (4.15 %)
C	1,64,386	5,452 (3.32 %)
D	1,03,348	3,066 (2.97 %)

Source: Report of Department of Personnel and Training, 2000



Grooming young students in music

In the past two years, as a result of intervention of special institutions for employment of persons with disabilities, all the one per cent of vacancies for the post of music teacher reserved for visually impaired were filled. Consequently, 400 visually impaired persons were recruited in almost all districts of Gujarat as Vidyasahayaks (assistant teachers).

No discrimination against physically challenged: HC

'TO GET SAME BENEFITS LIKE SC/STs'

Staff Reporter

New Delhi

IN A positive step for the physically challenged people, the Delhi High Court has allowed a plea which claimed the same relaxation benefits to physically challenged candidates as are given to reserved (Scheduled Castes/Scheduled Tribes) candidates in the Government jobs. The petition filed by a visually challenged girl through advocate Ashok Agarwal sought the relaxation meant for reserved category candidates to be applied to the people with disabilities.

The petition sought the implementation of an Office Memorandum of the Department of the Personnel and Training (DoPT) passed in the year 1995. According to the Memorandum, physically

challenged candidates were legally entitled to the same relaxation benefits, in jobs given to the candidates belonging to the reserved category. The judge, after hearing the counsel asked the public company National Thermal Power Corporation (NTPC) on why the relaxation meant for reserved candidates applying for the post of Assistant Law Officer (ALO) should not be extended to physically challenged candidates, in the light of the Memo of the DoPT.

After which, the NTPC agreed to give the relaxation to physically challenged candidates and even agreed to review the same after a period of five years. The judge directed the NTPC to issue fresh advertisement for the post informing the public about its changed decision on the issue.

I had been working in the government press for the past eight years. I lost my right lower arm a year back. I was asked to leave my job. I am the only earning member in my family. What recourse do I take?

If you have been asked to leave, it is a violation of your right. If you are working in an establishment set up by or under a Central, or State Act or a body owned or controlled by the government, then you cannot be asked to quit your job if you have acquired a disability during your service. Nor can you be shifted to a lower rank. If, however, you cannot continue to do the tasks that you were performing before you became disabled, you could be shifted to a suitable post with the same

Kunal Singh was recruited as a Constable in the Special Service Bureau (SSB). He suffered an injury in his left leg while on duty. The medical aid given to him did not help and ultimately his left leg was amputated on account of gangrene that had developed from the injury. He was invalidated from service by the Union of India (respondents) on the basis of the report of the Medical Board, Kullu, under which he was declared as permanently incapacitated for further service as per order passed by the Commandant, Group Centre, SSB Shamsi (Kullu).

Kunal Singh filed a writ petition in the High Court challenging the validity and correctness of the said order on the grounds that it was arbitrary and that he could have been assigned with alternative duty which he could discharge keeping in view the extent of his disability and having due regard to his 17 years of unblemished service. The writ petition was dismissed by the High Court holding that he had been permanently invalidated on the bases of the medical opinion and as such there was no scope for him to continue any further in service of any kind in the SSB.

Kunal Singh appealed in the Supreme Court of India assailing the order. The Supreme Court in its judgement dated February 13, 2003, among other arguments, recognised that Sec.47 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995 (PWD Act) very clearly and without any ambiguity reflects that no establishment shall dispense with, or reduce in rank of an employee who acquires a disability during his/her service.

The Supreme Court also mentioned that Under Rule 38 of Central Civil Services (CCS) Pension Rules, 1972, concerning the invalidity pension is no ground to deny the protection of the appellant under Section 47 of the PWD Act. Once it is held that employee has acquired a disability during the service and is found that he/she is not suitable for the post he/she was holding, he/she could be shifted to some other post with the same pay scale and service benefits. If it was not possible to find such a suitable post, he/she could be kept on supernumerary post until such a post was available or he/she attains the age of superannuation, which ever is earlier.

According to an estimate, less than 1 % of employable disabled people have jobs in India. A survey of the 'top' 100 companies in India conducted by the NCPEDP in 1999 revealed that the average employment rate of disabled people is only 0.4 %.

pay scale and service benefits. If such a post is not available, a supernumerary post should be created for such a person until a suitable post is available or s/he attains the age of superannuation, whichever is earlier.

In your case, you could approach the Commissioner for Persons with Disabilities, and file an application for redressal of your grievance. Your disability certificate must be submitted with an application, notice or letter by your employer asking you to leave and proof of the efforts made by you to retain your job. The Commissioner's Office will take up the matter on your behalf with the concerned department under Sec. 47 of the Act.



Supreme Court of India gave judgment on April 16, 2004 in the appeal by Indian Banks' Association and others Vs. M/s Devkala Consultancy Service and others after considering the provisions of the Interest Tax Act.

Under the Interest Tax Act, the borrowers from the banks were loaded with interest tax of 3% and rounded up to next higher 0.25%. The Supreme Court concluded the action by the banks as unauthorized. Keeping the impracticability of refunding the amount collected from over 5% borrowers, the Court ordered the Comptroller and Auditor General of India (CAG) to effect recoveries of all the excess amount realized by the Union of India by way of interest tax and interest by the banks and other financial institutions. The Court ordered to create a corpus of such funds for the benefit of the disadvantaged people covered by the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995 and the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act 1999.

It has been estimated that the banks had collected annually a sum of Rs. 723.79 crores by way of resorting to rounding up of incidence of interest tax. The court while passing the directions has requested the CAG to manage the trust as the Chairman with Finance Secretary and Law Secretary of Union of India as ex-officio members. The Indian Banks' Association (appellants) and other concerned banks were also directed to contribute Rs. 50 lakhs to the fund so created. The Court has further directed that the corpus fund so created may be invested in such a manner so as to enable the trustees to effect the provisions of the Persons with Disabilities Act, 1995. It was further held that the Committee as also the Committees set by the Central Government should act in close cooperation with each other. The Committee may, if it thinks proper, invest any amount in the Trust set up by the Central Government under the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act 1999 or any other scheme framed by the Central Government.

What about employment in private sector? Does the Act also promote that?

The Act speaks about making suitable provisions for employment for persons with disabilities in the public sector. However, it cannot be enforced on private sector employers. It does mention under Sec. 41 that the government, depending on its economic capacity and development, shall provide incentives to employers both in public and private sectors to ensure that at least five percent of their work force comprise persons with disabilities. However, these 'incentives' have not yet been spelt out but there have been efforts by NGOs in this direction.



I want to start my own small business. Can I get some assistance for that?

For setting up a small business, a loan up to Rupees one lakh can be availed under a scheme of the Gujarat State Finance Corporation (GSFC). Currently in Gujarat this scheme is being co-ordinated by the Department of Social Defence with the involvement of project implementing agencies of the Maharishi Ashtavakra Yojana.

For applying for a loan, you would need to submit the following documents to the regional office of the GSFC that is nearest to your residence:

- Application in prescribed pro forma
- Income certificate of family
- Disability certificate
- Project proposal
- Previous experience, if any
- Proof of residence
- 2 photographs
- Letter of permission from the owner of the space where business is proposed to be started

For information on the GSFC offices, contact the Social Defence Officer in your district. Besides, you can also get micro credit up to Rs. 10,000 for small businesses. The National Association for the Blind at Visnagar, Idar, and Ahmedabad provide such assistance.

ORGANISATIONS GIVING MICRO CREDIT

1. National Association for the Blind

Behind Satyam Auto Garage
10, Shreenagar Road
Idar, Sabarkantha
Ph: 02778- 250298

2. National Association for the Blind

Capital Commercial Centre
Near Teen Darwaja, Visnagar
Mehsana - 384315
Ph: 02765 - 221210

3. National Association for the Blind

Jagdish Patel Chowk, Surdas Marg,
Near IIM, Vastrapur
Ahmedabad 380 015
Ph: 079 - 26304070, 26305082

The Swarna Jayanti Shahri (Urban) Rozgar Yojana (SJSRY) scheme launched in 1997 aims to provide gainful employment for urban unemployed or underemployed through encouraging the setting up of self-employment ventures or provision of wage employment. There is three per cent reservation for persons with disability under this scheme.

The Swarna Jayanti Gram (Rural) Swarozgar Yojana (SGSY) aims to bring the assisted poor families above the poverty line by ensuring appreciable sustained level of income over a period of time. This objective is to be achieved by organising the rural poor into Self Help Groups (SHGs) through the process of social mobilisation, their training and capacity building and provision of income generating assets. An SHG, under this scheme, may consist of 10-20 persons. In the case of disabled persons, this number may be a minimum of five. The scheme provides safeguards for the weaker sections and for persons with disabilities there is three per cent reservation. Special provisions have also been made for an enhanced subsidy to the persons with disabilities of 50 per cent of the project cost, subject to a maximum of Rs. 10,000/-.

I suffered an injury recently that has affected my hearing. The doctor told me that if I get a hearing-aid, I would be able to do almost all the things that I could do earlier. Whom do I contact?

Under Sec. 42, the Act specifies that the government shall make schemes to provide aids and appliances to persons with disabilities. In Gujarat, the government has given this responsibility to 6 NGOs to implement the Scheme for Assistance for Purchase and Fitting of Aids and Appliances. To get an aid/appliance you need 2 copies of your photograph, proof of residence and certificate of disability and an income certificate.

The contact addresses of these NGOs are given on page 30.

What can be done under the Act for promotion of equal rights that affect an entire group of disabled persons?

In such cases, a disabled person or a group of disabled persons or even an NGO or a Disabled Persons' Organisation (DPO) may make a representation to the authorities concerned. For example, under Sec. 44-46, the Act mentions measures that the government must take to prevent discrimination in access to transport, public places like roads, parks and buildings. However, due to several reasons, most places are not yet accessible. In this case, under Sec. 66 (2) of the Act, persons concerned, DPOs, NGOs, etc. could join hands and obtain grants to facilitate the process of creating a barrier-free environment in collaboration with the department/authority concerned. Until this need is recognized and addressed by the implementing authorities, various people and groups would need to work jointly and concertedly in this direction.

This is a news item published in local daily, Gujarat Samachar dated November 6, 2005.

This news is about the introduction of a low floor bus (confirming to B S-2 norms) on trial basis for persons with disability and the aged, so that they can easily step in and out of the bus. On its successful run/acceptance of this trial, four more such buses would be purchased.

વિકલાંગો, વૃદ્ધો માટે આજથી શરૂ થનારી લો-ફ્લોર બસ

અમદાવાદ, શનિવાર
અમદાવાદ મ્યુનિસિપલ ટ્રાન્સપોર્ટ સર્વિસ દ્વારા વિકલાંગો અને વૃદ્ધોને બસમાં ચડવા અને ઊતરવામાં વધુ સાનુકૂળ અને આરામદાયી એવી બી એસ-૨ નોર્મ્સ ધરાવતી લો-ફ્લોર બસ આવતીકાલ તા. ૬ નવેમ્બરથી એક મહિના માટે પ્રાયોગિક ધોરણે શરૂ કરવામાં આવશે. આવતીકાલે સવારે ૮-૩૦ કલાકે શહેરના મેયર અમિતભાઈ શાહ આ બસનું ઉદઘાટન કરશે. વાસણાથી ચાંદખેડાના નં. ૯૦-૬ના

રૂટ પર આ લો-ફ્લોર બસ શરૂ કરવામાં આવશે.

અંદાજે રૂ. ૧૭ લાખ, ૬૨ હજારથી વધુ કિંમતની આ લો-ફ્લોર બસનો પ્રયોગ સફળ થશે તો લગભગ રૂ. ૭૪ લાખના ખર્ચે આ પ્રકારની ચાર બસ ખરીદવામાં આવશે. આ પ્રકારની બસ પ્રાયોગિક ધોરણે શરૂ કરવા અને તેની સફળતાને ધ્યાનમાં લીધા પછી આવી બસ ખરીદવા અંગે સ્ટેન્ડિંગ કમિટિમાં મંજૂરી આપવામાં આવી છે.

The Kutch Viklang Sankalan Samiti (KVSS) is a local network of individuals and organizations working on the issue of disability. The network seeks to make a difference in the lives of disabled people in Kutch. For this, the group has built its capacity for understanding and demanding the rights and entitlements of persons with disabilities.

The KVSS recognises the importance of accessibility in promoting participation of persons with disabilities. Hence, it has made special efforts in the post-earthquake phase to collaborate with the local authorities for creating a barrier-free environment. The focus is especially on the physical structure of public places and buildings that were in the construction stage. In collaboration with the local government, access audits have been conducted for these buildings. Access awareness programmes and initiatives have been taken up for all the key players in joint collaboration with Handicap International, an international NGO working on disability issues. The future interventions will aim to bridge the identified gaps. In this

whole process, Handicap International has provided the relevant technical support, capacity building, support in visualising and defining the programme direction and implementation plans.

The KVSS visualizes the 1995 Act as a tool for advocacy with the government, the media, the judiciary and, most importantly, with the community, including persons with disabilities. Some of the efforts have been towards implementation of different provisions under the PWD Act, 1995, like activating the district-level committee through representation of a person with disability on the committee.



above: *Reviewing a plan of a building for accessibility*

below: *Experiencing obstacles to mobility in a narrow corridor*



What can we do if this collaborative approach does not work?

When representations and collaboration do not seem to work, the groups concerned could initiate a Public Interest Litigation (PIL) in the High Court. In cases where the lack of action amounts to violation of constitutional rights, the litigation may be filed in the Supreme Court.

The PILs may be filed on matters related to education, employment, use of and access to the public transport system, civic amenities, public buildings or the like, which affect and benefit more than one disabled person.

All Kerala Parents Association (Hearing Impaired and Another) approached the High Court of Kerala against the State of Kerala and others. The grievance was that the educational institutions of the government as well as the institutions receiving aid from the government do not reserve 3 per cent seats for the persons with disability/ies. The provision of 3 per cent reservation is contemplated under section 39 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995 (PWD Act).

The High Court concluded that since section 39 occurs in Chapter VI dealing with employment, the expression "seats" in section 39 would really mean "post" and the questions of reservation of seats for appointment in educational institutions would not arise under Section 39, as the education has been dealt with in Chapter V.

All Kerala Parents Association (Hearing Impaired and Another) appealed in the Supreme Court of India against the judgement of the Division bench of the High Court of Kerala.

The Supreme Court of India in its judgement on September 11, 2002 stated that the High Court of Kerala was wholly in error in interpreting the section 39 of the PWD Act by relating it to the reservation in government employment and not in relation to admission of students with disability/ies in educational institutions run by and receiving the aid from the government. The judgement also pointed out that reservation in government employment is provided under section 33 of the PWD Act.

The Supreme Court therefore set aside the impugned Judgement of the Kerala High Court and held that section 39 deals with the reservation of seats for persons with disability/ies in government educational institutions as well as educational institutions receiving aid from the Government, and necessarily therefore the provisions thereof must be complied with.

In Gujarat, the Gujarat State Legal Services Authority (GSLSA) provides free legal services to the vulnerable sections, including mentally ill or persons with any other disability. The Permanent Legal Services Clinic provides free legal service round the clock on all days. Various cells have been set up to provide assistance to senior citizens, women, jawans, etc. A special cell was set up for the physically and mentally challenged persons in March 2003.

FOR MORE DETAILS CONTACT
**Gujarat State Legal
 Aid Society**
 Bungalow No. 12,
 Duffanala, Shahibaug,
 Ahmedabad 380 004.
 Ph: 079-2285 0999, 2286 3893



Reaching out legal aid services to the unreached !

The GSLSA also conducts para legal training for students and social workers. Besides, it organises legal literacy camps and Lok Adalats at the district level through its free mobile legal services unit to ensure that the socially and economically marginalised sections get timely access to justice.

**OTHER LEGAL SERVICES
 IN AHMEDABAD :**
 OLD HIGH COURT COMPLEX
 ASHRAM ROAD,
 AHMEDABAD.
 PHONE - 079 . 27540583

**LEGAL INFORMATION CAN
 ALSO BE OBTAINED
 FROM:**
 BUNGALOW NO 29,
 JUDGES BUNGALOWS,
 BODAKDEV, VASTRAPUR
 AHMEDABAD.



Other Acts applicable to persons with disabilities:

- The National Trust for Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act 1999
- Mental Health Act, 1987
- Rehabilitation Council of India Act, 1992

Steps Taken in Gujarat for Implementation of Section 25 of the PWD Act

The following initiatives have been taken in Gujarat for the implementation of various subsections of Section 25 on **“Prevention and Early Detection of Disabilities”**

1. **Sub Section 25 (a)** Surveys on occurrence of disability – A National level sample survey has already been conducted at the National Level. As per this survey, the prevalence of disability in the country is 1.8 per cent.
2. **Sub-Section 25 (b)** Preventing Disabilities – The National Programme on the Control on Blindness, National Programme on Eradication of Polio and variety of such National Level Programmes have already been launched and the same have been very effectively implemented in Gujarat as well.
3. **Sub Section 25 (c)** Training of Children – The Department of Health & Family Welfare conducts a State Level programme on examination of school children every year during the months of June and July. All the “at-risk” children identified in this screening programme are referred to the respective Civil Hospitals.
4. **Section 25 (d)** Training of Staff – About 2000 Medical Officers of the Primary Health Centre in Gujarat have been imparted training of 3 days duration under the National Programme on Training of PHC/CHC Medical Officers. Department of Health and Family Welfare, Government of Gujarat with the support of Handicap International is implementing a project in ten districts of Gujarat, that aims to improve the capacity of primary health care services for disability prevention, identification and rehabilitation. It also consolidates linkages at the community level, to enable persons with disabilities in remote rural areas to better access health care and rehabilitation services.
5. **Section 25 (e)** Awareness Campaign – The Department of Health & Family Welfare has already produced a variety of material for creating Public Awareness about various health related matter including causes of disabilities.
6. **Sub Section 25 (f)** Mother & Child Programme – The Government of Gujarat has established a separate department of Women & Child Development. This Department with the involvement of Department of Health & Family Welfare has taken variety of measures on pre-natal, peri-natal and post-natal care of mother and child.
7. **Sub Section 25 (g)** The *Sarva Shiksha Abhiyan* has produced audio as well as video material for creating public awareness among the members of community and for sensitizing class teachers in respect of specific needs of special need children.
8. **Sub Section 25 (h)** Use of Mass Media – One can listen to a variety of advertisements jingles on *Vividh Bharati Radio* on Prevention of Blindness, importance of sanitation, safe drinking water, importance of personal hygiene etc. Similarly such advertisement material also appears regularly on different TV Channels.

In Gujarat, a variety of measures on mainstreaming of disability in development have been taken:

- **Reservation in Admissions:** After Gujarat High Court Judgment in case of Palak Jain vs Union of India*, the persons with disabilities are now eligible to get admission on reserved seats to different educational courses including:

- Medical, nursing, pharmacy and physiotherapy
- Architecture, management and accountancy
- Teacher training including B.Ed., PTC etc.
- Industrial Training Institute, Polytechnic, Colleges of Engineering

At present, there are more seats in the educational programme than the admission seekers. Similarly every school, in the private as well as government sector has been instructed to provide admission to persons with disabilities. But people with disabilities should come forward and ensure that seats are filled.

- **Identification of Jobs:** The Government has adopted the list of jobs identified as suitable for persons with disabilities by the Central Government and has issued appropriate notification accordingly.
- **Training of Teachers:** To promote mainstreaming in the schools, the Government has deputed 6 teachers from each block to the Foundation Course of 3 months duration as recognized by the Rehabilitation Council of India. The *Sarva Shiksha Abhiyan* has also deputed 25,000 teachers for an orientation course of 5 days duration in the area of education of children with disabilities.
- **Appointment of Block Coordinators:** The District Primary Education Programme has appointed qualified Resource Teachers at block level for ensuring mainstream education of children with disabilities.
- **Scheme of Integrated Education:** The Government has assigned the responsibility of implementation of this scheme to the Gujarat Council for Educational Research & Training, a mainstream education organization, with coverage of 40,000 children and budget allocation of Rs. 18 crores.
- **Scheme of CBR:** The State Government has introduced a statewide scheme on promotion of community-based rehabilitation with an allocation of 78 crores with the active involvement and participation of block level development organizations. It has ensured mainstreaming of disability in development as all the services under the scheme are provided by the development system.

* (2001) 3 Guj LR 299

- **Foundation Course for Teachers at Cluster Level:** The District Primary Education Programme has started deputing selected teachers from each cluster of villages to the Foundation Course of 3 months duration with focus on mainstreaming education of children with disabilities. These teachers in turn would provide support services to class teachers.
- **Sensitization of Faculty of DIET:** The Master Trainers of District Institute of Educational Technology have also imparted six weeks orientation as regard specific needs of children with disabilities
- **Provision of Assistive Devices:** All the 25,000 children with visual impairment, 30,000 children with mental retardation, every child with orthopaedic disability is being provided educational and assistive devices from the *Sarva Shiksha* budget.
- **Material on Social Communication:** The *Sarva Shiksha Abhiyan* has produced audio as well as video material for creating public awareness among the members of community and for sensitizing class teachers in respect of specific needs of special need children.
- **Inclusion in Tribal Sub-plan:** The Tribal Sub-plan has also started providing support to programmes, which cover persons with disabilities in the tribal areas. It has resulted in emergence of service providers in the remote tribal areas.
- **Inclusion in Rural Development:** The Integrated Rural Development Programme has also initiated providing support to persons with disabilities in developmental activities as per provision of Section 40 of the PWD Act.
- **Sensitization of Development Officials:** All the district level officials from the Departments of Rural Development, Tribal Development, Health & Family Welfare, Education, Social Justice and Employment & Training have been imparted orientation as regard provisions of PWD Act and specific developmental needs of persons with disabilities.
- **Micro Credit from State Financial Corporation:** The Gujarat State Financial Corporation has been assigned the responsibility of providing micro credit to persons with disabilities as per the guidelines of the National Handicapped Finance & Development Corporation.
- **Guidelines on Barrier Free Environment:** The Government has already issued guidelines to all the municipal bodies as well as Urban Development Authorities. The outcome is that now the local authorities are insisting for incorporating barrier free components in the buildings.

- **Appointment of District Collectors as Deputy Commissioners (PWDs):** To ensure involvement of district administration in implementation of PWD Act and encourage mainstreaming of disability in development, the Government has appointed the District Collectors as the Deputy Commissioner (Disability). Similarly, the Government has also appointed the Collectors as Chairperson of the Local Level Committee under the National Trust Act to encourage services for persons with multiple disabilities further.
- **Declaring Half way Homes as Rehabilitation Centres:** The Government has taken a bold initiative of evolving rules called the “Registration of Psychiatric Rehabilitation Centres of Mentally ill Persons” under the PWD Act. Thus the rehabilitation of the persons with mental illness is responsibility of mainstream health organizations working for the mentally ill.
- **Orientation of Medical Officers:** The Department of Health & Family Welfare constituted a State Level Committee for imparting 3 days orientation to all the Medical Officers of the Primary Health Centres for mainstreaming of disability in the health system as well.
- **Legal Aid Cell:** The Legal Aid Services of the Department of Law has established a Cell within its Legal Aid Services for the protection of rights of persons with disabilities and providing legal aid to such person. Hon’ble President of India, Dr. A. P. J. Abdul Kalam, inaugurated this Cell.
- **Integration of Rehabilitation in the District Mental Health Program:** Even when the State Government evolved the State Policy on Mental Health, it considered rehabilitation of persons with mental illness as a component. It has initiated District level programme on creating public awareness, providing certificates and other rehabilitation services. This is a unique endeavour of mainstreaming rehabilitation of such persons.
- **Appointment of a Blind Person as Commissioner (PWDs):** The Government has taken a bold initiative of appointing Prof. Bhaskar Mehta, proponent of mainstreaming, a blind person himself, as Commissioner (PWD) with independent charge. This is 3rd State in the country, which has appointed a non-IAS as Commissioner equivalent to the rank of Secretary to the Government.
- **District Disability Rehabilitation Centres:** The government through these centres aims at providing aids and appliances to the persons with disabilities along with the facility of repairing. The persons with disabilities are being assessed by the personnel posted at the centre for aids and appliances that can be provided to them. Outdoor camps for assessment are also being organised by the centres.

Here are some important addresses of organisations/departments that you may need to contact



Commissioner for Persons with Disabilities

First Floor, Old Vidhan Sabha Building,
Near Town Hall, Sector 17,
Gandhinagar - 382017
Ph: 079 - 23256746, 23256747

Directorate of Information

Block 7, 2nd Floor, Old Sachivalaya,
Gandhinagar - 382010
Ph: 079 - 23220347, 23220354

Department of Social Defence

Block No. 16, Old Sachivalaya
Dr. Jivraj Mehta Bhavan
Gandhinagar - 382010
Ph: 079 - 23256309, 23256310

Department of Social Justice and Empowerment

Block 5, 8th floor
New Sachivalaya, Gandhinagar
Ph: 079 - 23220385

Gujarat Council of Educational Research and Training

Director, GCERT, Sector 21,
opp. District Library, Gandhinagar
Ph: 079 - 23232781, 23232782

District Primary Education Programme (DPEP)

Old MLA Canteen Campus,
Sector 17, Gandhinagar
Ph: 079 - 23235069

Gujarat State Finance Corporation

Block No. 10, Udyog Bhavan
Sector No. 11, Gandhinagar
Ph: 079 - 23226223

Gujarat State Finance Corporation

Regional Office,
Children Hospital Building, Rasala Marg,
Ellisbridge, Ahmedabad - 380006
Ph: 079 - 26582375

Organisations implementing the Scheme of Assistance for Purchase and Fitting of Aids and Appliances:

Medical Care Centre Trust

K.G.Patel Children Hospital
Jalaram Marg, Karelibaug
Vadodara - 390018
Ph: 0265-2463906, 2462404

Blind People's Association

Jagdish Patel Chowk, Surdas Marg,
Near IIM, Vastrapur, Ahmedabad - 380015
Ph: 079 - 26304070, 26305082

Andh Apang Kalyan Kendra

Jantanagar Road, Ghatlodia
Ahmedabad -380063

PNRS Society for Relief and Rehabilitation of Disabled

51, Vidya Nagar, Bhavnagar - 364002
Ph: 0278 - 2420836, 2423917, 2431150,
2429326
Fax: 0278-2431160

V-One Society

Bhumija Complex, Opposite Mission Training
Compound, Fatehgunj, Vadodara - 390002
Ph: 0265 - 2791621

Shri K L Institute for the Deaf

51, Vidya Nagar, Bhavnagar - 364002
Ph: 0278 - 2431150, 2429326

This booklet has been jointly published by the Blind People's Association, UNNATI - Organisation for Development Education and Handicap International.

Blind People's Association (BPA) is an institution established in 1954 that works directly for the rehabilitation of people with different kinds of disabilities, including persons who are visually impaired, orthopaedically disabled, speech and hearing impaired and have multiple disabilities. The BPA also carries out networking and advocacy on issues of the disabled at State and national levels.

UNNATI - Organisation for Development Education is a voluntary non-profit organisation. It was registered under the Societies Registration Act (1860) in 1990. Currently, we are engaged in providing strategic issue-based support to development initiatives in Gujarat and Rajasthan. The primary aim is to promote social inclusion and democratic governance so that the vulnerable sections of our society are empowered to effectively participate in the mainstream development and decision-making processes.

The above aim is accomplished through undertaking collaborative research, public education, advocacy, direct field-level mobilisation and implementation with multiple stakeholders. While we work at the grassroot level to policy level environment for ensuring basic rights of citizens, we derive inspiration from the struggles of the vulnerable and strength from the partners.

HANDICAP INTERNATIONAL (HI) is an international non-government organisation present in India since 1988. HI works to support actions towards an inclusive, barrier-free and rights-based society for persons with disabilities and other vulnerable persons in India.

To this end HI works with people*, local and international organisations and Governments which share the vision of an inclusive society where vulnerable people have equal rights and opportunities and live their lives with dignity, experience joy as well as a sense of fulfilment, irrespective of the cause, nature and the environment underlying the situation.

* People are understood to include people with disabilities and other persons in situations of vulnerability, their families and their communities, irrespective of religion, caste or creed.

As persons
with disabilities,
we often think
and wonder...



**Are there any legal provisions
that protect our rights?**

**What can we do if we are
discriminated against at workplace?**

If denied admission to an educational
institution whom do we approach?

**In Gujarat, which organisations are promoting
our rights to education and employment?**

**What are the basic documents that
can help us get our entitlements?**

How and from where can these be obtained?

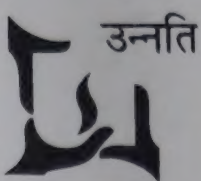
This booklet contains information on the rights of persons with disabilities, especially to education and employment, in the light of the provisions of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. It also includes success stories and initiatives that demonstrate how the Act can become an enabling tool. Using a question-answer format and a guide who helps readers steer through the booklet, it seeks to address some common concerns and queries of persons with disabilities.

Who would benefit?

- people with disabilities and their caretakers.
- functionaries of special institutions, NGOs and government departments.
- anyone else seeking information regarding equal opportunities and protection of the rights of the disabled.



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